The Examiner has rejected claims 1-11 under 35 U.S.C. 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

Claim 1 has been corrected to address this rejection (i.e. "audio evens" has been changed to read "audio events.")

Examiner has indicated that claims 1-11 would be allowable if rewritten to overcome the 35 U.S.C. 112, second paragraph rejection. Applicant's respectfully requests that Examiner withdraw his rejection of claims 1-11.

Rejections under 35 U.S.C. 103(a)

Krueger et al.

Examiner is asserting that the "transcoding" of files in Krueger et al. (US patent 5,996,022) is somehow equivalent to "importing a theme" as recited in the present application.

In Krueger et al., a server receives a request for an audio file and, upon receipt, determines whether or not the file needs to be transcoded. "Transcoding", according to Krueger et al., "may include changing the audio file type, compressing the audio file, reducing the number of body of channels, or reducing the sampling rate of the data." In Krueger et al., Abstract. However, the present invention is not directed towards file conversion. Specifically, referring to figure 2: " when the primary L&F 208 is changed, the Audio L&F 210 **loads the appropriate theme** for the new L&F." Page 10, lines 18-20. A "theme", as described in the present invention, includes "a first set of platform dependent audio fields, each platform dependent audio field associated with at least one audio event of a set of the audio events, wherein the theme is arranged to permit the emulation of the audio events of the first platform." Page 4, lines 14-17. In plain language, "the theme 214 may be considered a set of audio cues that map onto the audio events in the user interface." Page 10, lines 8-10.

Substituting the language above, claim 12 might read, in relevant part:

"importing a set of audio cues that map onto the audio events in the user interface, including at least one platform dependent audio field associated with the *the* — platform dependent audio function".

erroneous out
point
table for
audio
files

When read this way, Applicants respectfully assert that a person of ordinary skill in the art would not equate "transcoding an audio file" with "importing a theme". Thus, since Krueger et al. is deficient in this regard, the fact that it does-not "explicitly teach that the at least one platform dependent audio file is represented by/packaged into a corresponding field", (Office Action, page 4, lines 1-3), is not relevant.

converting TRANScode
adds audio

set of table
standard case
noise

Kruger et al., and Rose

The Examiner has rejected claims 14, 16, 17, 20 and 24 under 35 U.S.C. 103(a) as being unpatentable over Krueger et al. as applied to claim 12 in view of Rose (US patent 6,085,199). However, as discussed above, Krueger et al. does not teach the unique inventive step of "importing a theme corresponding to the platform dependent audio function", claim 12, line 5-6. Rose does not overcome the deficiencies of Krueger et al. since it does not discuss or contemplate "importing a theme". Thus, no reasonable combination of the two patents can be read to cover the invention as presented in the present application.

Kruger et al., Rose, and Peng

Claims 15 and 18 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Krueger et al. in view of Rose as as applied to claims 12 and 16 and further in view of Peng (US patent 6,128,011). However, once again Peng does not overcome the deficiencies of Krueger et al. and Rose. Peng still does not discuss or contemplate "importing a theme". Thus, no reasonable combination of the three patents can be read to cover the invention as presented in the present application.

Kruger et al., Rose, and Chow et al.

Claims 19 and 21 has been rejected under 35 U. S. C. 103(a) as being unpatentable over Krueger et al. in view of Rose as applied to claims 16 and further in view of Chow et al. (US patent 6,266,693).However, once again Chow et al. does not overcome the deficiencies of Krueger et al. and Rose. Chow et al. still does not discuss or contemplate "importing a theme". Thus, no reasonable combination of the three patents can be read to cover the invention as presented in the present application.

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